

# FEDERAL LAW ENFORCEMENT TRAINING CENTER

## SUBMISSION TO THE DATA REQUEST FOR FY 1998

### FREEDOM OF INFORMATION ACT REPORT TO CONGRESS

This report served as input to the [Department of the Treasury Freedom of Information Act Annual Report to Congress for FY 1998](#) prepared February 1, 1999.

I. and II.A. – Not for Bureaus.

**II.B. Response time ranged from 1 to 51 days. Average Response time in FY 98 was 11.90 days. Out of 138 requests received in FY 98, we were able to process 120 requests (87%) within the 20-day time limit mandated by Congress.**

**II.C. The most common reasons why requests for records could not be granted were 1) the requested records did not exist and 2) the records were exempt from release under FOIA Exemption (b)(6)**

III.A. Agency-Specific Acronyms or Terms – N/A

III.B. Basic Terms – **See Attachment**

**IV.A. Exemption 3 statute relied on – Civil Rights Act of 1964, Section 706(a) as amended by 42 USC, Section 2000e-5(b). Use of this statute to protect records from disclosure under the FOIA has been held in Parker v. Equal Employment Opportunity Commission, No. 74-1262 (D.D.C. May 29, 1975), aff'd 534 F.2d 977 (D.C. Cir. 1976).**

V. FOIA/PA Access Requests

A. Number of initial requests.

1. Number of requests pending as of end of preceding fiscal year – **0**
2. Number of requests received during current fiscal year – **138**
3. Number of requests processed during current fiscal year – **138**
4. Number of requests pending as of end of current fiscal year – **0**

B. Disposition of initial requests.

1. Total grants – **91**
2. Partial Grants – **25**
3. Denials – **1**

a. Number of times each FOIA exemption used:

(b)(1) – <b>0</b>	(b)(6) – <b>16</b>	(b)(7)(E) – <b>1</b>
(b)(2) – <b>1</b>	(b)(7)(A) – <b>0</b>	(b)(7)(F) – <b>0</b>
(b)(3) – <b>1</b>	(b)(7)(B) – <b>0</b>	(b)(8) – <b>0</b>
(b)(4) – <b>8</b>	(b)(7)(C) – <b>0</b>	(b)(9) – <b>0</b>
(b)(5) – <b>2</b>	(b)(7)(D) – <b>0</b>	

4. Other Reasons for nondisclosure (total) – **33**
  - a. no records – **27**
  - b. referrals – **5**
  - c. withdrawn – **0**
  - d. fee-related – **1**
  - e. records not reasonably described – **0**
  - f. not a proper FOIA request for some other reason – **0**
  - g. not an agency record – **0**
  - h. duplicate request – **0**
  - i. other – **0**

VI. Appeals of initial denials of FOIA/PA requests.

A. Number of appeals.

1. Number of appeals received during fiscal year – **0**
2. Number of appeals processed during fiscal year – **N/A**

B. Disposition of appeals.

1. Number completely upheld – **N/A**
2. Number partially reversed – **N/A**
3. Number completely reversed – **N/A**

a. Number of times each FOIA exemption used

(b)(1) – <b>N/A</b>	(b)(6) – <b>N/A</b>	(b)(7)(E) – <b>N/A</b>
(b)(2) – <b>N/A</b>	(b)(7)(A) – <b>N/A</b>	(b)(7)(F) – <b>N/A</b>
(b)(3) – <b>N/A</b>	(b)(7)(B) – <b>N/A</b>	(b)(8) – <b>N/A</b>
(b)(4) – <b>N/A</b>	(b)(7)(C) – <b>N/A</b>	(b)(9) – <b>N/A</b>
(b)(5) – <b>N/A</b>	(b)(7)(D) – <b>N/A</b>	

4. Other reasons for non-disclosure (total) – **N/A**
  - a. no records – **N/A**
  - b. referrals – **N/A**
  - c. withdrawn – **N/A**
  - d. fee-related – **N/A**
  - e. records not reasonably described – **N/A**
  - f. not a proper request for some other reason – **N/A**
  - g. not an agency record – **N/A**
  - h. duplicate request – **N/A**
  - i. other – **N/A**

## VII. Compliance with Time Limits

- A. Median time for processing requests.
  1. Simple Requests – **N/A (Multi-Track Processing Not Used)**
  2. Complex Requests
    - a. number of requests processed – **138**
    - b. median number of days to process – **9**
  3. Requests accorded expedited processing – **0**
- B. Status of pending requests.
  1. Number of requests pending at end of FY 98 – **0**
  2. Median days that such requests were pending as of that date – **N/A**

## VIII. Comparisons with Previous Years – **None**

## IX. Costs/FOIA Staffing

- A. Staffing Levels
  1. Number of full time FOIA personnel – **0**
  2. Number of personnel with part-time or occasional FOIA duties (in total work years) – **1.35**
  3. Total number of personnel (in work-years) – **1.35**
- B. Total Costs
  1. FOIA processing – **\$99,870.50**
  2. Litigation-related activities – **\$0.00**
  3. Total costs – **\$99,870.50**

- C. Statement of additional resources needed for FOIA compliance – **During FY 98, all individuals performing disclosure functions were also responsible for managing other programs at the FLETC. With the recent retirement of one of those individuals, the FLETC currently has one individual whose part-time duties include disclosure. In addition, the FLETC has seen a steady increase in disclosure workload over the last few years. Due to an increased public interest in gaining access to Federal information, we do not foresee any changes to this pattern. Therefore, based on the number of work-years expended in FY 98 to manage the disclosure program at the FLETC and the available manpower devoted to this program for FY 99, the FLETC requires another full-time equivalent (FTE) to perform disclosure activities full-time.**
- X. Fees.
- A. Total fees collected FY 98 – **\$2140.55**
- B. Percentage of total costs – **2%**
- XI. FOIA Regulations – **None Attached**